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301 Cedar Street, Suite 4  
Greenville, AL 36037  
(334) 382-3239 Fax 382-2940

September 11, 1997

Mr. William F. Caton, Secretary  
FEDERAL COMMUNICATIONS COMMISSION  
1919 M Street, N.W.  
Room 222  
Washington, D.C. 20554

RECEIVED  
OCT - 9 1997  
FCC MAIL ROOM

RE: Petition for Rule Making  
Change in Community of License  
WGNG(FM) Belzoni, Mississippi

Dear Mr. Caton:

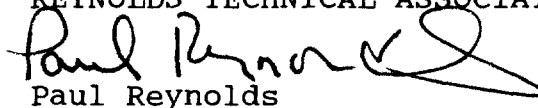
Enclosed please find a petition for rule making that we wish to file for our client, Team Broadcasting Company, Inc.

The copies should be forwarded to:  
Chief, Allocations Branch  
Policy and Rules Division  
Mass Media Bureau

The original and four copies are included as is copy labeled " Receipt Stamp Copy." Please have someone in your office receipt stamp this copy and return it in the attached envelope.

Thank you for your assistance in getting this Petition for Rule Making filed.

Sincerely,  
REYNOLDS TECHNICAL ASSOCIATES

  
Paul Reynolds

BROADCAST INDUSTRY TECHNICAL CONSULTANTS

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M. H. B.

**ORIGINAL**

AUDIO SERVICES  
DIVISION

OCT 9 2 47 PM '97

Before the

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**FEDERAL COMMUNICATIONS COMMISSION**

**Washington, D.C. 20554**

In The Matter of )  
 )  
Amendment of Section 73.202(b), ) MM Docket \_\_\_\_\_  
Table of Allotments, )  
FM Broadcast Stations ) RM \_\_\_\_\_  
(Belzoni & Tchula, Mississippi) )

To:  
Chief, Allocations Branch  
Policy and Rules Division  
Mass Media Bureau

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**PETITION FOR RULE MAKING**

Team Broadcasting Company, inc. ("Team"), a Mississippi Corporation, and permittee of a new construction permit at Belzoni, Mississippi, (WGNG(FM)) hereby petitions the Commission to institute a Notice of Proposed Rule Making (NPRM) for the deletion of channel 292A at Belzoni, Mississippi, and the allocation of channel 292C3 to Tchula, Mississippi, as that Community's first broadcast service. It further requests that the community of license of its CP be changed accordingly. Team gives the required verifications and also certifies that if the Commission allocates the channel to Tchula, it will timely file an application to modify the existing CP (WGNG) presently granted to Team.

### **CHANNEL 292A AT BELZONI & REQUEST FOR WAIVER OF §73.3555**

Presently Team holds a CP WGNG(FM) for channel 292A at Belzoni. However, this channel cannot be upgraded at Belzoni due to spacing problems which places the allocation site at a point where the community will not receive 100% 70 dBu coverage. Therefore, Team must seek a new community of license in order to as a class C3.

Team subscribed to a database which depicted the spacing to all known FM facilities. However, inadvertently the database continued to include WYJS(FM) as a class A on channel 292A at Lexington, Mississippi, ever though the station had been constructed and filed a Form 302 on channel 290C2 at Pickens, Mississippi. Team delayed seeking an upgrade until it was determined by their engineering consultant that channel 292A at Lexington was in the database in error. Team did not file for the instant upgrade during the first one half (9 months) of its CP due to this spacing misunderstanding. Based on this reason for waiting until the database depicted clear spacing to channel 292A at Lexington, Team is requesting a waiver of 73.2555 of the Commission's Rules and respectfully request that its PRM be accepted for filing.

### **REMAINING SERVICE AT BELZONI**

The deletion of channel 292A at Belzoni, Mississippi, does not deprive that community of an existing local

service, since WBYP(FM) Channel 296A (with a CP for Ch 296C3) will remain as a licensed local service to Belzoni. In addition WELZ-AM (1460 kHz) also provides local service to Belzoni. A study of a minimum five remaining services is not included since WGNG is a CP and has never provided a service to Belzoni or the surrounding area.

### CHANNEL 292C3 AT TCHULA QUALIFICATIONS

As shown by the attached channel study, channel 292C3, when allocated to Tchula, appears to have no short spacing to any known licensed facilities, proposed minor changes or proposed rule makings. This assumes a site restriction of 2.65 kilometers southwest of the community reference coordinates. It also appears that the nearest short spacing concerns are as follows: WAID(FM), (channel 293C2) Clarksdale, Mississippi, at 340.50°(Degrees) True; WYJS(FM) (channel 290c2), Pickens, Mississippi, at 159.8°(Degrees) True and KMYV(FM), (channel 291C) Monroe, Louisiana, at 252.40°(Degrees) True. The intersecting of these minimum distance separation contours create the location area for a fully spaced antenna site for channel 292C2 at Tchula. See Exhibit E, Figure 1.

The attached map shows that the fully spaced site chosen for the instant rule making would cover 100% of the proposed city of license with a hypothetical 70 dBu F(50,50) contour. The distance shown for a class C3 facility (25 kW, 100 meters HAAT) is 23.2 kilometers (14.5 miles).

In order to alleviate potential FAA problems, Team could possibly use a proposed cellular structure in excess of 385 feet AGL at area cellular telephone site under Section 73.215. If the Commission allocates channel 229C3 to Tchula as that community's first local aural service, antenna sites in the immediate area of the Team reference coordinates will be available without FAA obstruction concerns.

In addition to channel 292C3 providing a first local service to Tchula, it will be the only local service to the northern half of Holmes County. With a class C3 wide area service, all of Holmes County will be inside the 60 dbu contour.

### TCHULA, MISSISSIPPI

Tchula is located in Holmes County, Mississippi. It has local banking, a functioning school system, a public library, in addition to police and municipal service systems which give it the required indicia required by the Commission to be a community of license. According to the United States Census Bureau, Tchula had a population of 2,186 persons on January 1, 1990 (Holmes County 21,604 persons). The community is recognized as a Census Designated Area by the US Census Bureau. Information from the Mississippi Secretary of State depicts that it has a functioning city government and has been an incorporated city for several years.

### **PETITION SUMMARIZED**

The petition for the allocation of channel 292C3 at Tchula can be SUMMARIZED as follows:

<b><u>COMMUNITY</u></b>	<b><u>PRESENT</u></b>	<b><u>PROPOSED</u></b>
Belzoni	296C3, 292A	296C3
Tchula	-----	292C3

No substitutions of channels in other markets or interruption of services are necessary for this allocation. Since there are no channel deletions or substitutions necessary for the allocation of channel 292C3 at Tchula, it can be allotted and the application for a construction permit filed immediately.

### **EXPRESSION OF INTEREST**

Team states that it will timely file an application to construct and daily operate a new FM station on channel 292C3, if the channel (292A) is deleted at Belzoni and substituted at Tchula (292C3).

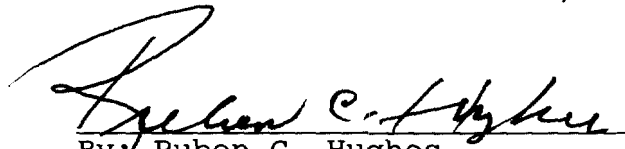
## **CONCLUSION**

After Channel 292A was deleted at Lexington, channel 292C3 could be allocated to the north half of Holmes County at Tchula. Team has standing to make this request since it is the permittee for channel 292A at Belzoni and the instant petition is mutually exclusive with its CP. Therefore, Team Broadcasting Company, Inc., is petitioning the Commission to institute a Notice of Proposed Rule Making leading to the deletion of channel 292A at Belzoni, Mississippi, and the allocation of channel 292C3 at Tchula, Mississippi, as that community's first local service. This channel is available for allocation immediately as it requires no other deletions and/or substitutions in other communities. In addition, the allocation will require only a slight site restriction. Team certifies that it will file a form 301 for the required Channel 292 modification from Belzoni to Tchula, if the channel is allocated.

### CERTIFICATION

I, Ruben C. Hughes, President of Team Broadcasting Company, Inc., permittee of a CP at Belzoni, Mississippi, and Petitioner for the deletion of channel 292A at Belzoni with the concurring allocation of channel 292C3 at Tchula, Mississippi (and the modification of the Belzoni CP to reflect this change) do hereby verify that the statements contained in this Petition for Rule Making are true and correct to the best of my knowledge and belief. I represent that this Petition is not filed for the purpose of impeding, obstructing or delaying determination on any other application or petition with which it may be in conflict.

Respectfully Submitted,  
TEAM BROADCASTING COMPANY, INC.

  
By: Ruben C. Hughes  
Its President

This 25th Day of August, 1997

Ruben C. Hughes, President  
Team Broadcasting Company, Inc.  
561 Golden Avenue  
Mobile, Alabama 36617



# ENGINEERING STATEMENT

IN SUPPORT OF A

## PETITION FOR RULE MAKING

DELETING CHANNEL 292A @ BELZONI, MS  
SUBSTITUTING CHANNEL 292C3 @ TCHULA, MISSISSIPPI

WGNG.C (FM)  
TEAM BROADCASTING COMPANY, INC.

WGNG CH 292C3 ALLOCATION STUDY  
[DEPICTING SPACING TO ALL KNOWN FM FACILITIES]  
(USING INSTANT PRM SITE AS REFERENCE)

33 09 43 N.				Class C3				Search Date
90 12 34 W.				Current rules spacings				09-10-97
			Channel	292A -106.3 MHz				
Call	Ch#	City		State	Bear'	Dist'	R'grd	Margin
<b>Community of Tchula</b>				MS	332.0	2.65		
Reference Coordinates:								
North Latitude: 33-10-59								
West Longitude: 90-13-22								
<b>WGNG.C 292A Belzoni</b>				MS	287.8	23.80	142.0	-118.20 *
Of No Concern								
CP Site of WGNG (Team)								
Petitioner of Instant PRM								
WAID	293C2	Clarksdale		MS	340.5	117.00	117.0	0.00 *
WYJS	290C2	Pickens		MS	159.8	60.91	56.0	4.91 *
KMYX	291C	Monroe		LA	252.4	184.30	176.0	8.30 *
WSTZFM	294C	Vicksburg		MS	190.3	107.51	96.0	11.51
WMXU	291C2	Starkville		MS	84.2	145.40	117.0	28.40
KMZC.C	292C2	Lonoke		AR	316.3	221.02	177.0	44.02

**EXHIBIT E**  
**Figure 1**

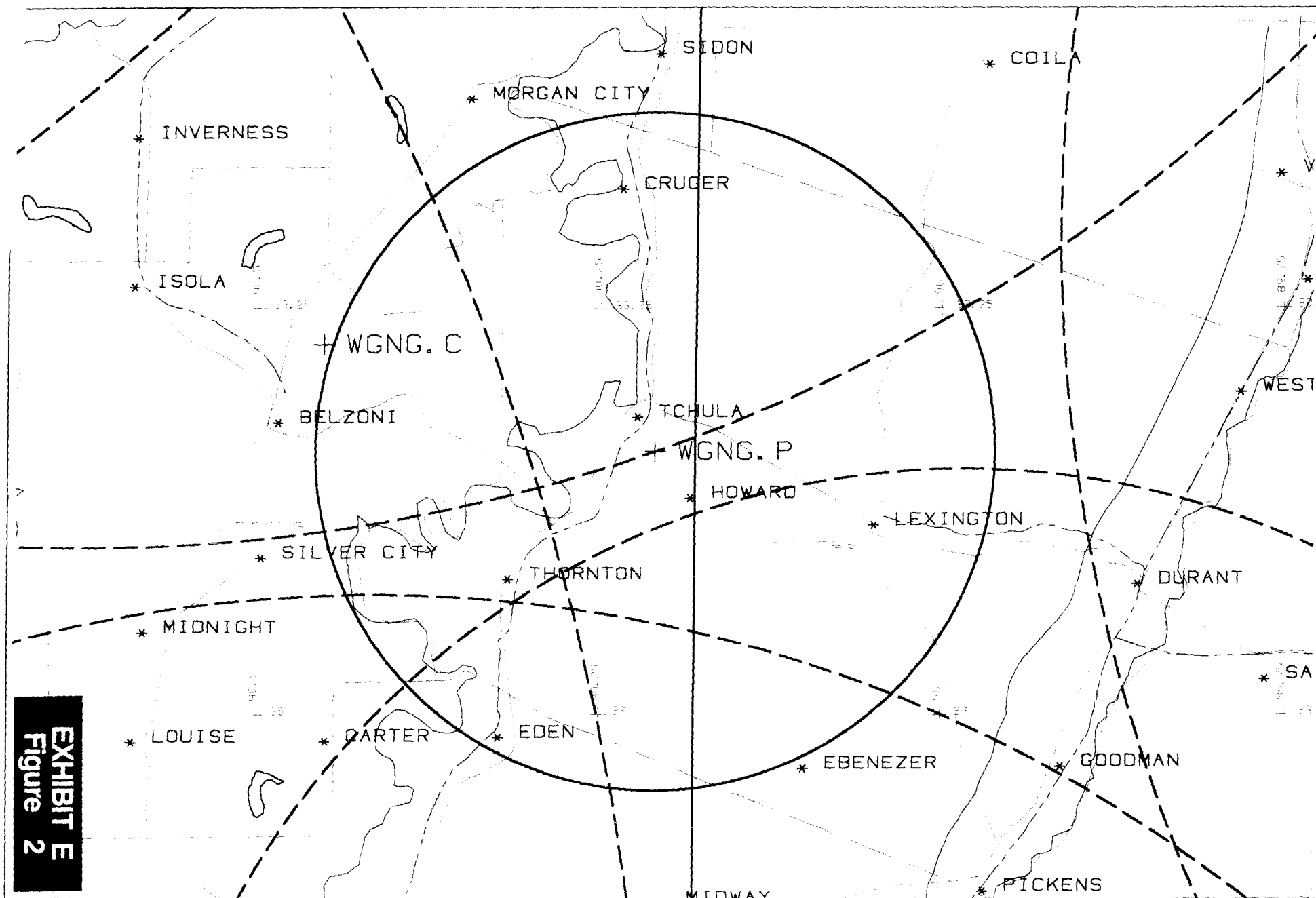
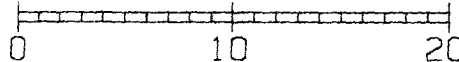


EXHIBIT E  
Figure 2

Scale in km



N. Lat. 33 09 43

W. Lng. 90 12 34

CH 292C3 @ TCHULA, MS  
REYNOLDS TECHNICAL